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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,579	10/17/2003	Alan K. Forsythe	GTDV120953	2274
26389 7590 03/08/2007 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			EXAMINER , JACKSON, ANDRE L	
			ART UNIT 3677	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/08/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/688,579

Applicant(s)

FORSYTHE, ALAN K.

Examiner

Andre' L. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*; 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-11, 13-22 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-32 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9, 10, 13-16, 18, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 11, 17, 19 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

*DETAILED ACTION*

*Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 18, 2006 has been entered.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,189,248 to Sully. Sully discloses a handle structure comprising;

a control device housing [22]; an actuation member [15] coupled to the control device housing, the actuation member including a first engagement surface [28, 29] and a central axis; and a gripping device [55] including a first interference surface [70,71 of a first arm 57], the gripping device being selectively couplable to the actuation member and rotatable about the central axis of the actuation member between a locked position, wherein interference of the first engagement surface with the first interference surface couples the gripping device to the

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actuation member, and an unlocked position, wherein the gripping device is removable from the actuation member (col. 4, lines 3-7).

As to claim 2, the gripping device includes a key [65] and the actuation member includes a first keyway [first detent notch between a first row of angularly disposed projections] and a second keyway [second detent notch between a second row of angularly disposed projections], wherein the gripping device may be selectively coupled upon the actuation member in either a first orientation or a second orientation by selectively interfacing the key with the first keyway or the second keyway (col. 3, lines 36-41).

As to claim 3, the first engagement surface is inclined relative to the first interference surface by a selected separation angle (col. 2, lines 58-63).

As to claim 4, wherein the selected separation angle is between about 1 degree and about 10 degrees (col. 3, lines 16-20).

As to claim 5, the handle structure further comprising a locking member [40] coupled to the gripping device, the locking member positioned to engage a first projection [27] disposed on the actuation member to aid in holding the gripping device in the locked position.

As to claim 7, the handle structure further comprising a sidewall surface [30] coupled to the first projection, the sidewall surface adapted to engage the locking member when the gripping device is in the unlocked position, wherein the sidewall surface is inclined relative to a plane passing through a center axis of the actuation member (fig. 3).

As to claim 9, a second engagement surface [28, 29 of a second row of projections 27] disposed on the actuation member; a second interference surface [70, 71 of a second arm 58] disposed on the gripping device; and wherein when the gripping device is in the locked

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position, the gripping device is additionally coupled to the actuation member by interference of the second engagement surface with the second interference surface.

As to claim 10, the handle structure further comprising an additional locking member [a plurality of upper or lower circumferential splines 40] coupled to the gripping device, the additional locking member positioned to engage a second projection [a plurality of projections 27] disposed on the actuation member to aid in holding the gripping device in the locked position.

Claims 13-16, 18, 20 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Sully. Sully discloses a handle structure comprising;

a control device [10]; an actuation member [15] coupled to the control device, the actuation member including a central axis and having a first projection [27] with a first engagement surface [28, 29]; and a gripping device [55] having a first protrusion [65] with a first interference surface [70, 71], wherein the gripping device is adapted to be selectively keyed upon the actuation member in a first orientation or a second orientation by selective interaction of the first projection with the first protrusion, and wherein the gripping device is selectively coupable to the actuation member and rotatable about the central axis of the actuation member between a locked position, wherein interference of the first engagement surface with the first interference surface couples the gripping device to the actuation member, and an unlocked position, wherein the gripping device is selectively removable from the actuation member (col. 4, lines 3-7).

As to claim 14, wherein the first engagement surface is inclined relative to the first interference surface by a selected separation angle (col. 2. lines 58-63).

As to claim 15, wherein the selected separation angle is between about 1 degree and about 10 degrees (col. 3, lines 16-20).

As to claim 16, the handle structure further comprising a locking member [40] coupled to the gripping device, the locking member positioned to engage the first projection to aid in holding the gripping device in the locked position (col. 2, lines 64-67).

As to claim 18, the handle structure further comprising a sidewall surface [30] coupled to the first projection, the sidewall surface adapted to engage the locking member when the gripping device is in the unlocked position, wherein the sidewall surface is inclined relative to a plane passing through a center axis of the actuation member (fig. 3).

As to claim 20, the handle structure further comprising; a second engagement surface [28, 29 of a second row of angularly disposed projections 27] disposed on the actuation member; a second interference surface [70, 71 of a second arm 58] disposed on the gripping device; and wherein when the gripping device is in the locked position, the gripping device is additionally coupled to the actuation member by interference of the second engagement surface with the second interference surface.

As to claim 21, the handle structure further comprising an additional locking member surface [a plurality of upper and lower circumferential splines 40] coupled to the gripping device or the actuation member, the additional locking member positioned to engage a second projection [a plurality of projections 27] disposed on the actuation member or a second protrusion disposed on the gripping device to aid in holding the gripping device in the locked position.

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***Allowable Subject Matter***

Claims 24-32 are believed to be allowable over the prior art of record.

Claims 6, 8, 11, 17, 19 and 22 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Applicant's Arguments***

Applicant's arguments with respect to claims 1-11, 13-22 and 24-32 rejected as being unpatentable over Ushimaru has been considered but are moot in view of the new ground(s) of rejection. Accordingly, after careful review and reconsideration of the prior art and a new art search, previously cited reference #4189248 to Sully has been applied and more clearly anticipates applicant's claim limitations as presently presented. Accordingly, claims 1-5, 7, 9-10, 13-16, 18 and 20-21 are found to be unpatentable over Sully, claims 6, 8, 11, 17, 19 and 22 are objected to and claims 24-32 are believed to be allowable over the prior art made of record.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (10 am - 6:30 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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**Katherine Mitchell**  
**Primary Examiner**